

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

\*\*\*\*\*)  
BANK OF THE WEST, )  
Plaintiff )  
 )  
v. )  
 )  
KATHERINE BEESLEY, )  
In Personam )  
 )  
AND )  
 )  
M/V DEFIANCE, her engines and )  
equipment )  
In Rem )  
 )  
Defendants )  
\*\*\*\*\*

CIVIL ACTION NO.  
04 CV 10407 RGS

**PLAINTIFF'S MOTION FOR ORDER OF THE SALE OF VESSEL**

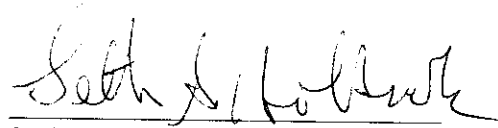
NOW COMES the Plaintiff, by and through its undersigned attorneys and moves that this court order the sale of the M/V DEFIANCE.

As reason therefore, Plaintiff states that no claims have been filed against the vessel except that of the Plaintiff and that the matter is appropriate for a judicial sale conducted by the United States Marshal Service. A sale now would prevent the further incurrence of custodial fees.

WHEREFORE, Plaintiff prays that this court assign a court order for the sale of the M/V DEFIANCE pursuant to the arrangements being made by the United States Marshal Service, as soon as possible.

**BANK OF THE WEST**

By its attorneys,



Seth S. Holbrook, BBO # 237850

HOLBROOK & MURPHY

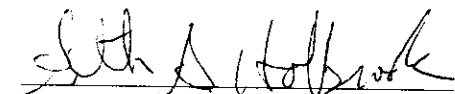
150 Federal Street, 12<sup>th</sup> Floor

Boston, MA 02110

(617) 428-1151

**CERTIFICATE OF SERVICE**

I hereby certify that on July 21, 2004, a true copy of Plaintiff's Motion for Order of the Sale of Vessel was served by mail, postage prepaid, to the following people: Ms. Katherine Beesley, 60 Maverick St., Marblehead, MA 01945, and Mr. Marshall J. Handy, Handy, Cox & Moorman, P.C., 9 Abbott St., Beverly, MA 01915.

  
Seth S. Holbrook